

## New Report

50th Legislature - 1st Regular Session, 2011

Tuesday, Feb 22 2011 11:23 AM

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### Refer to Council

#### Posted Calendars and Committee Hearings

H2244 : DIGITAL COPY MACHINE; ERASING; OFFENSE

*Calendar:* 2/22 House Caucus

H2411 : CHILD PROSTITUTION; CONSECUTIVE SENTENCES

*Calendar:* 2/23 House COW

H2585 : MARIJUANA MONITORING; CONTROLLED SUBSTANCE

*Calendar:* 2/23 House COW

S1020 : TECH CORRECTION; CHILD WELFARE AGENCY

*Calendar:* 2/22 Senate Caucus

S1317 : RETIREMENT; PSPRS; CORP; EORP; ADMINISTRATION

*Calendar:* 2/22 Senate Caucus

S1332 : PUBLIC AGENCIES; ELECTED OFFICIALS; COMMUNICATIONS

*Calendar:* 2/22 Senate Caucus

S1334 : HUNTING WITHIN CITY LIMITS

*Calendar:* 2/22 Senate Caucus

S1352 : PHOTO RADAR PROHIBITION

*Hearing:* Senate Rules (Tuesday 02/22/11 at 9:00 AM, Senate Caucus Rm.)

S1353 : MOVING VIOLATIONS; ASSESSMENT; ENFORCEMENT; EQUIPMENT

*Hearing:* Senate Appropriations (Tuesday 02/22/11 at 2:00 PM, Senate Rm. 109)

S1354 : PHOTO ENFORCEMENT; VIOLATOR IDENTIFICATION; RESPONSE

*Hearing:* Senate Rules (Tuesday 02/22/11 at 9:00 AM, Senate Caucus Rm.)

S1356 : EVADING ARREST OR DETENTION; CRIME

*Hearing:* Senate Rules (Tuesday 02/22/11 at 9:00 AM, Senate Caucus Rm.)

S1368 : HUMAN SMUGGLING ORGANIZATION; OFFENSE; PENALTY

*Hearing:* Senate Rules (Tuesday 02/22/11 at 9:00 AM, Senate Caucus Rm.)

S1411 : COUNTY ELECTED OFFICERS; AUTHORITY

*Hearing:* Senate Rules (Tuesday 02/22/11 at 9:00 AM, Senate Caucus Rm.)

S1426 : DRIVER LICENSES; NEIGHBORHOOD ELECTRIC VEHICLES

*Hearing:* Senate Rules (Tuesday 02/22/11 at 9:00 AM, Senate Caucus Rm.)

S1433 : FEDERAL LEGISLATION; STATE NULLIFICATION

*Hearing:* Senate Rules (Tuesday 02/22/11 at 9:00 AM, Senate Caucus Rm.)

S1466 : JUSTICE COURT; DEFERRED OR DIVERTED PROSECUTION

*Hearing:* Senate Rules (Tuesday 02/22/11 at 9:00 AM, Senate Caucus Rm.)

SCR1020 : CRIME VICTIMS; PROTECTION FROM LIABILITY

*Calendar:* 2/22 Senate Third Reading

SCR1045 : APPELLATE; TRIAL COMMISSIONS; GOVERNOR APPOINTMENT

*Hearing:* Senate Appropriations (Tuesday 02/22/11 at 2:00 PM, Senate Rm. 109)

## Bill Summaries

### H2232: SENTENCING; CRIMINAL RESTITUTION ORDER [Support]

The list of circumstances under which a trial court retains jurisdiction of a criminal restitution case is expanded to include ordering and enforcing the manner in which the court-ordered payments are made. Previous language stated the trial court retained jurisdiction only for purposes of modifying payments. The time when the court must enter a restitution order in favor of each person entitled to restitution and in favor of the state for unpaid fees, fines, incarceration costs, assessments, etc., is when the defendant is sentenced rather than either when sentenced or when the defendant completes probation.

First sponsor: Rep. Goodale

Lists: Kim MacEachern, Master List, Refer to Council, Support

Categories: support

#### General Comments (all lists):

Removes rest. as a prob. tool and interest starts accruing and they may not know the full amt at sentencing.

Oppose pending RV w/AGO, victims and see also absconders bill of MCAO

2/4 RV w/AGO-now recommend support

H2232 Daily History

Date Action

SENTENCING; CRIMINAL RESTITUTION ORDER 2/3 House jud held.

SENTENCING; CRIMINAL RESTITUTION ORDER 1/24 referred to House jud.

### H2244: DIGITAL COPY MACHINE; ERASING; OFFENSE [Oppose]

Individuals and entities selling or giving a digital copy machine to another person must first destroy every record stored on the digital copy machine. Violations are a class 1 misdemeanor. A person whose business or property is injured from a violation may bring an action in court to recover damages.

First sponsor: Rep. Robson

Others: Rep. Brophy McGee

Lists: Kim MacEachern, Master List, Oppose, Refer to Council

Categories: oppose

**General Comments (all lists):**

Why criminal?

recommend education

H2244 Daily History	Date	Action
DIGITAL COPY MACHINE; ERASING; OFFENSE 2/16 from House com with amend <a href="#">#4247</a> .		
DIGITAL COPY MACHINE; ERASING; OFFENSE 2/16 House com amended; report awaited.		
DIGITAL COPY MACHINE; ERASING; OFFENSE 2/3 from House jud with amend <a href="#">#4072</a> .		
DIGITAL COPY MACHINE; ERASING; OFFENSE 1/26 referred to House jud, com.		

**H2302: DOMESTIC VIOLENCE VICTIMS; PROTECTED ADDRESS**

By December 31, 2012, the Secretary of State must establish the Safe at Home Program to allow victims of domestic violence, sexual offenses, or stalking or harassment offenses to keep their residence address confidential. The program terminates July 1, 2021. The Legislature intends for the program to be funded by surcharges on fines or other penalties assessed against persons convicted of these offenses.

First sponsor: Rep. Mesnard

Others: Rep. Dial, Rep. Hobbs, Rep. Tobin, Rep. Yee, Sen. Gallardo, Sen. L. Gray, Sen. McComish, Sen. Reagan, Sen. Sinema

Lists: Kim MacEachern, Refer to Council, Support

Categories: support

**General Comments (all lists):**

SOS: Known as 'Safe at Home' this program is in use in 25 states; this bill is derived from the CO law. In WA the service is accessed by 3500 people in 1000 residences; 24 hour access and arduous process not conducive to fraud; funded via assessment on relevant crimes; addresses interaction of prosecutors and victims in the program

H2302 Daily History	Date	Action
DOMESTIC VIOLENCE VICTIMS; PROTECTED ADDRESS 2/21 retained on House COW calendar.		
DOMESTIC VIOLENCE VICTIMS; PROTECTED ADDRESS 2/14 from House rules okay.		
DOMESTIC VIOLENCE VICTIMS; PROTECTED ADDRESS 2/8 from House gov with amend <a href="#">#4103</a> .		
DOMESTIC VIOLENCE VICTIMS; PROTECTED ADDRESS 2/8 House gov amended; report awaited.		
DOMESTIC VIOLENCE VICTIMS; PROTECTED ADDRESS 1/20 referred to House gov.		

**H2408: OUTPATIENT TREATMENT; AGENCY NOTIFICATION [Support]**

If criminal charges are dropped against a patient in the state hospital or other institution assigned to determine and/or treat mental illness, the medical director must notify the prosecuting agency if a civil commitment order expires or is terminated or denied or if the patient is discharged to outpatient treatment.

First sponsor: Rep. Vogt

Others: Rep. Court, Rep. Gowan, Rep. Jones, Rep. Kavanagh, Rep. Proud, Rep. Reeve, Rep. Smith, Rep. Stevens, Rep. Urie

Lists: Kim MacEachern, Refer to Council

Categories: support

**General Comments (all lists):**

MCAO bill

#### H2408 Daily History

Date Action

OUTPATIENT TREATMENT; AGENCY NOTIFICATION 2/17 from House jud with amend [#4320](#).  
OUTPATIENT TREATMENT; AGENCY NOTIFICATION 2/17 House jud amended; report awaited.  
OUTPATIENT TREATMENT; AGENCY NOTIFICATION 1/24 referred to House jud.

### H2411: CHILD PROSTITUTION; CONSECUTIVE SENTENCES [Support]

A person convicted of engaging in prostitution with a minor shall serve the sentence for that crime consecutively to any other sentence imposed on the person at any time.

First sponsor: Rep. Farnsworth

Lists: Kim MacEachern, Master List, Monitor neutral, Refer to Council

Categories: support

#### General Comments (all lists):

K. Mayer checking notes from last year to determine if this fix of the concurrent aspect was a negotiated term that we were party to. Ctr for AZ Policy bill. It was not; it was dropped by then Rep. Driggs who did not wish to replace it.

Recommend support to full council

#### H2411 Daily History

Date Action

CHILD PROSTITUTION; CONSECUTIVE SENTENCES 2/14 from House rules okay.  
CHILD PROSTITUTION; CONSECUTIVE SENTENCES 2/3 from House jud with amend [#4073](#).  
CHILD PROSTITUTION; CONSECUTIVE SENTENCES 1/24 referred to House jud.

### H2445: STATUTE OF LIMITATIONS; MOVING VIOLATION [Support]

A prosecution for causing serious physical injury or death by a moving violation must be commenced within five years after discovery of the offense by the state or political subdivision.

First sponsor: Rep. Montenegro

Lists: Kim MacEachern, Refer to Council

Categories: support

#### General Comments (all lists):

Amendment to reduce to 2 yrs from 5 will assuage Pombier's reservations.

#### H2445 Daily History

Date Action

STATUTE OF LIMITATIONS; MOVING VIOLATION 1/24 referred to House jud.

### H2510: PALLIATIVE CARE; PATIENT INFORMATION

If a patient is diagnosed with a terminal illness or condition, the patient's attending health care practitioner is required to offer to provide the patient with information and counseling regarding palliative care and end-of-life options.

First sponsor: Rep. Heinz  
Others: Rep. Patterson

Lists: Kim MacEachern, Refer to Council, Support

Categories: support

**General Comments (all lists):**

This is a striker by Heinz that is now adding the analogue components of "bath salts" in a strike everything amendment.

H2510 Daily History	Date	Action
PALLIATIVE CARE; PATIENT INFORMATION	2/9	from House hel-hu ser with amend <a href="#">#4118</a> .
PALLIATIVE CARE; PATIENT INFORMATION	1/26	referred to House hel-hu ser.

## H2521: SIGNIFICANT PSYCHOLOGICAL EPISODE REGISTER; DPS [Neutral]

The Dept of Public Safety (DPS) is required to maintain a computerized record system containing information on significant or severe psychological episodes or incidents. Public agencies, including educational institutions, with information that a person has suffered an episode or incident must report to the DPS. The record system will be accessible to criminal justice agencies.

First sponsor: Rep. Heinz

Lists: Kim MacEachern, Refer to Council

Categories: monitor

**General Comments (all lists):**

Unlikely to move

H2521 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

## H2559: VIOLENT BEHAVIOR REPORTING; GOV ENTITIES [Neutral]

A governmental entity (including an institution of higher learning) that has knowledge that a person has been expelled, suspended or terminated because of violence, threats of violence or behavior that constitutes a danger to self or others must report that information to the proper law enforcement agency, which shall in turn transmit the information to the appropriate local or regional health agency or crisis center.

First sponsor: Rep. Heinz

Others: Rep. Farley, Rep. Gonzales, Rep. Gowan, Rep. Judd, Rep. Patterson, Rep. Proud, Rep. Saldate, Rep. Stevens, Rep. Vogt, Rep. Wheeler, Rep. Williams, Sen. Aboud, Sen. Antenori, Sen. Cajero Bedford, Sen. Lopez, Sen. Melvin

Lists: Kim MacEachern, Refer to Council

Categories: monitor

**General Comments (all lists):**

Representative Heinz is seeking APAAC support-serious reservations; need to work with him to address

H2559 Daily History	Date	Action
VIOLENT BEHAVIOR REPORTING; GOV ENTITIES	2/17	from House mil-pub with amend <a href="#">#4287</a> .
VIOLENT BEHAVIOR REPORTING; GOV ENTITIES	2/1	referred to House mil-pub.

## H2563: FIREARM POSSESSION; MENTALLY ILL; RESTORATION [Oppose]

A person who had been declared a prohibited possessor of firearms as a result of being found mentally ill may petition the court to restore the person's right to possess firearms. The list of judicial actions taken by a superior court that may be appealed to the court of appeals is expanded to include denying a petition to restore the person's right to possess a firearm.

First sponsor: Rep. Harper

Others: Rep. Gowan, Rep. Tobin

Lists: Kim MacEachern, Refer to Council

Categories: oppose

### General Comments (all lists):

This bill was dropped with the preponderance standard which is lower than the standard for taking it in the first place. May be superceded by a different bill.

Need clear and convincing standard

H2563 Daily History	Date	Action
FIREARM POSSESSION; MENTALLY ILL; RESTORATION	2/9	referred to House jud.

## H2582: JUDICIAL DETERMINATIONS; PROHIBITED BASIS

Courts are prohibited from using, referring or incorporating a tenet of religious law into any finding or decision or from using it as a controlling authority. Courts are prohibited from using, referring or incorporating as precedent or controlling authority any case or statute from a jurisdiction that is outside the U.S. Some exceptions. Severability clause.

First sponsor: Rep. Burges

Others: Rep. Smith, Sen. Bundgaard, Sen. Nelson, Sen. Pierce, Sen. Shooter

Lists: Kim MacEachern, Refer to Council

Categories: no position

H2582 Daily History	Date	Action
JUDICIAL DETERMINATIONS; PROHIBITED BASIS	2/17	from House jud do pass.
JUDICIAL DETERMINATIONS; PROHIBITED BASIS	2/17	House jud do pass; report awaited.
JUDICIAL DETERMINATIONS; PROHIBITED BASIS	2/7	referred to House jud.

## H2583: DEADLY PHYSICAL FORCE; REPORTING; ADMISSIBILITY [Oppose]

If a person is involved in an act in which deadly physical force was used or threatened and the person promptly reports the act to an appropriate authority for the purpose of obtaining emergency medical care or police services, the person's statement is not admissible in a criminal prosecution or civil action against that person, except for purposes of impeachment. The statement is not considered a public record and may not be disclosed to the public in any manner. A legislative findings section states that this act is intended to establish a balance between the need for prompt reporting of these instances with the person's constitutional right to remain silent.

First sponsor: Rep. Burges

Others: Rep. Barton, Rep. Crandell, Rep. Dial, Rep. Fann, Rep. Fillmore, Rep. Forese, Rep. Gowan, Rep. R. Gray, Rep. Harper, Rep. Judd, Rep. Mesnard, Rep. Montenegro, Rep. Olson, Rep. Pratt, Rep. Proud, Rep. Seel, Rep. Smith, Rep. Stevens, Rep. Urie, Rep. Yee, Sen. Allen, Sen. Antenori, Sen. L. Gray, Sen. Klein, Sen. Melvin, Sen. Nelson

Lists: Kim MacEachern, Refer to Council

Categories: oppose

**General Comments (all lists):**

oppose; stakeholder meeting beinb arranged per mail on 2/10

H2583 Daily History

Date Action

DEADLY PHYSICAL FORCE; REPORTING; ADMISSIBILITY 2/17 from House mil-pub do pass.

DEADLY PHYSICAL FORCE; REPORTING; ADMISSIBILITY 2/16 House mil-pub do pass; report awaited.

DEADLY PHYSICAL FORCE; REPORTING; ADMISSIBILITY 2/7 referred to House mil-pub, jud.

## **H2585: MARIJUANA MONITORING; CONTROLLED SUBSTANCE [Support]**

The database tracking system operated by the Board of Pharmacy to track controlled substances must also include data from the Dept of Health Services to include the identity of residents who possess a medical marijuana registry identification card.

First sponsor: Rep. Heinz

Others: Rep. Ash, Rep. Campbell, Rep. Jones, Rep. McCune Davis, Rep. Meyer, Rep. Reeve, Rep. Yee

Lists: Kim MacEachern, Refer to Council

Categories: support

**General Comments (all lists):**

support

H2585 Daily History

Date Action

MARIJUANA MONITORING; CONTROLLED SUBSTANCE 2/14 from House rules with a technical amendment.

MARIJUANA MONITORING; CONTROLLED SUBSTANCE 2/9 from House hel-hu ser do pass.

MARIJUANA MONITORING; CONTROLLED SUBSTANCE 2/7 referred to House hel-hu ser.

## **H2589: LEGISLATIVE HEARINGS; PRIVATE PRISON ESCAPE**

Within seven days of an escape from a private prison, the House and Senate government committees must hold a joint hearing. A list of people who must appear to answer questions about the escape is provided.

First sponsor: Rep. Campbell

Others: Rep. Ableser, Rep. Alston, Rep. Farley, Rep. Hobbs, Rep. McCune Davis, Rep. Meyer, Rep. Patterson

Lists: Kim MacEachern, Refer to Council

Categories: no position

H2589 Daily History

Date Action

LEGISLATIVE HEARINGS; PRIVATE PRISON ESCAPE 2/7 referred to House mil-pub, jud.

## **H2590: PRISONS; SECURITY MONITORING SYSTEMS; NOTIFICATION**

If an electronic security system at a private prison is malfunctioning or damaged, the prison operator must notify the Dept of Corrections. A civil penalty of \$10,000 per day is assessed for each day that the operator fails to notify the department. Fines are deposited in the Transition Program Fund.

First sponsor: Rep. Campbell

Lists: Kim MacEachern, Refer to Council

Categories: no position

H2590 Daily History

Date Action

PRISONS; SECURITY MONITORING SYSTEMS; NOTIFICATION 2/7 referred to House mil-pub, appro.

## **H2591: COMPETENCY PROCEEDINGS; TIME REQUIREMENTS; EVALUATIONS [Support]**

The psychiatric prescreening evaluation required of a defendant accused of murder and for whom the state is seeking the death penalty must be conducted within 30 days of the date the state files a notice of intent to seek the death penalty. If the defendant hires a psychiatric expert or experts, the state has the right to have the defendant evaluated by an equal number of experts.

First sponsor: Rep. Reeve

Lists: Kim MacEachern, Refer to Council

Categories: MCAO, support

### **General Comments (all lists):**

Adds a time frame to move along; MCAO bill

excludes time not spent in restoration; this didn't get changed in juvenile statutes.

H2591 Daily History

Date Action

COMPETENCY PROCEEDINGS; TIME REQUIREMENTS; EVALUATIONS 2/7 referred to House jud.

## **H2621: SEX OFFENDER REGISTRATION RECORDS; ACCESS [Neutral]**

The Dept of Economic Security is authorized to use sex offender registration records to determine the qualifications of a person applying for employment or seeking to volunteer to work with children or vulnerable adults.

First sponsor: Rep. Reeve

Lists: Kim MacEachern, Refer to Council

Categories: monitor



H2621 Daily History

Date Action

SEX OFFENDER REGISTRATION RECORDS; ACCESS 2/7 referred to House jud.

## H2623: HUNTING; POSTED LAND; LANDOWNER PROHIBITION

Criminal trespassing charges may be brought against a person who is hunting on posted private land only if the person remains unlawfully on the land after a reasonable request to leave by the owner or other authorized person.

First sponsor: Rep. Crandell

Others: Rep. Barton, Rep. Brophy McGee, Rep. Carter, Rep. Fann, Rep. Gallego, Rep. Goodale, Rep. Gowan, Rep. Jones, Rep. Judd, Rep. Olson, Rep. Pancrazi, Rep. Reeve, Rep. Stevens, Rep. Urie, Sen. Biggs, Sen. Griffin, Sen. Pierce

Lists: Kim MacEachern, Refer to Council

Categories: monitor

H2623 Daily History

Date Action

HUNTING; POSTED LAND; LANDOWNER PROHIBITION 2/17 from House mil-pub with amend [#4289](#).

HUNTING; POSTED LAND; LANDOWNER PROHIBITION 2/16 House mil-pub amended; report awaited.

HUNTING; POSTED LAND; LANDOWNER PROHIBITION 2/8 referred to House mil-pub.

## H2635: COURT-ORDERED EVALUATION [Neutral]

In addition to a psychological evaluation, a petition requesting court ordered treatment for a person who, as a result of a mental disorder, is deemed a danger to self or others, must also include the results of a physical exam if relevant to the overall evaluation. A list of persons qualified to conduct the physical exam is stipulated.

First sponsor: Rep. Court

Others: Rep. Ash

Lists: Kim MacEachern, Refer to Council

Categories: monitor

### General Comments (all lists):

Leg. attmpt to address Court of Apps decison that said the statute rqs a full physical exam.; wait to hear from Pinal/Pima re: the language for possible support; per Pima the requirements for the examination are too contrived; however, the telemed part is OK.

Per Regina: the case that started this is currently on appeal to the Sup ct.

An Ash bill that might be supportable.

H2635 Daily History

Date Action

COURT-ORDERED EVALUATION 2/21 passed House [59-0](#); ready for Senate.

COURT-ORDERED EVALUATION 2/14 from House rules okay. To House consent calendar.

COURT-ORDERED EVALUATION 2/9 from House hel-hu ser do pass.

COURT-ORDERED EVALUATION 2/8 referred to House hel-hu ser.

## H2653: GRAFFITI IMPLEMENTS; UNLAWFUL POSSESSION; MINORS

It is a petty offense for a person under 18 to possess any graffiti implement (defined) while on public or private property (?) without the express consent of the property owner. Some exceptions.

First sponsor: Rep. Campbell

Others: Rep. Farley, Rep. Gallego, Rep. Patterson, Rep. Tovar

Lists: Kim MacEachern, Refer to Council

Categories: monitor

H2653 Daily History	Date	Action
GRAFFITI IMPLEMENTS; UNLAWFUL POSSESSION; MINORS	2/14	referred to House jud.

## H2655: GANG; IMMIGRATION INTELLIGENCE; MISSION; FUNDING

The sources of deposits into the Gang & Immigration Intelligence Team Enforcement Mission (GIITEM) Fund is expanded to include use tax and TPT (sales tax) revenue from previously tax-exempt sales of values and pipes 4" in diameter or larger which are used to transport oil, gas, water or coal slurry, along with compressors, regulators and other machinery and items used in operating the pipeline. The GIITEM Fund is divided into four sub-accounts: the mission account, the border action grants account, the border security equipment and technology account, and the border law enforcement and prosecutors account. The purposes for expenditure from each sub-account are stipulated. Makes various appropriations from the GIITEM Fund to the Attorney General's Office, the Dept of Public Safety, and the Dept of Transportation. Because of the net increase in state revenue, requires 2/3 majority in both chambers for passage (per Prop 108).

First sponsor: Rep. Campbell

Others: Rep. Ableser, Rep. Alston, Rep. Farley, Rep. Heinz, Rep. Hobbs, Rep. McCune Davis, Rep. Meyer, Rep. Patterson, Rep. Tovar

Lists: Kim MacEachern, Monitor neutral, Refer to Council

Categories: monitor

### General Comments (all lists):

Pending DPS feedback

H2655 Daily History	Date	Action
GANG; IMMIGRATION INTELLIGENCE; MISSION; FUNDING	2/8	referred to House ways-means.

## H2658: DOMESTIC VIOLENCE REVIEW TEAMS

The charge of review teams established by local governments to examine instances of domestic violence related fatalities is expanded to include incidents of near fatal domestic violence, defined as an assault committed by a party to the domestic violence.

First sponsor: Rep. Proud

Others: Rep. Alston, Rep. Harper, Rep. Hobbs, Rep. Lesko, Rep. Tovar, Rep. Vogt

Lists: Kim MacEachern, Refer to Council

Categories: support

H2658 Daily History	Date	Action
DOMESTIC VIOLENCE REVIEW TEAMS	2/17	from House hel-hu ser with amend <a href="#">#4282</a> .
DOMESTIC VIOLENCE REVIEW TEAMS	2/16	House hel-hu ser amended; report awaited.
DOMESTIC VIOLENCE REVIEW TEAMS	2/8	referred to House hel-hu ser.

## H2660: SALVIA; PROHIBITION

It is a class one (highest) misdemeanor for a person to possess, use, sell, transport or produce salvia divinorum or substances derived from it.

First sponsor: Rep. Ugenti

Others: Rep. Crandell, Rep. Gallego

Lists: Kim MacEachern, Refer to Council

Categories: support

H2660 Daily History	Date	Action
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SALVIA; PROHIBITION	2/14	referred to House jud.
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## H2664: SENTENCING COMMISSION

A 20-member Arizona Sentencing Commission is established to evaluate the effectiveness of sentencing practices and policies and of alternative sentencing programs. An annual report must be submitted to the chairmen of the House and Senate Judiciary committees. The statutory life of the commission expires on July 1, 2021.

First sponsor: Rep. Ash

Others: Rep. Brophy McGee, Rep. Court, Rep. Goodale, Rep. Harper, Rep. McLain, Rep. C. Miranda, Rep. Vogt, Sen. Barto, Sen. Melvin, Sen. Pearce

Lists: Kim MacEachern, Refer to Council

Categories: oppose

### General Comments (all lists):

Need to adjust the membership (no victims reps; academia outnumbers pros, etc) before we can even consider supporting, but even that may be difficult

H2664 Daily History	Date	Action
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SENTENCING COMMISSION	2/17	from House jud with amend <a href="#">#4321</a> .
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SENTENCING COMMISSION	2/17	House jud amended; report awaited.
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SENTENCING COMMISSION	2/14	referred to House jud.
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## H2673: SPECIAL SENTENCING PEACE OFFICER IMPERSONATION

A person convicted of a felony offense who pretended to be a peace officer during commission of the offense, with the intent to induce another person to submit to their authority is not eligible for suspension of sentence, probation, pardon or release from confinement except under specified circumstances. The presumptive, minimum and maximum sentence for the offense is increased.

First sponsor: Rep. Forese

Others: Rep. Dial, Rep. Fann, Rep. Gowan, Rep. R. Gray, Rep. Harper, Rep. Kavanagh, Rep. Mesnard, Rep. Olson, Rep. Pratt, Rep. Stevens, Rep. Tobin, Rep. Ugenti, Rep. Urie, Rep. Vogt, Rep. Williams, Rep. Yee, Sen. Crandall, Sen. Melvin, Sen. Pierce, Sen. Smith, Sen. Yarbrough

Lists: Kim MacEachern, Refer to Council

Categories: support

H2673 Daily History

Date Action

SPECIAL SENTENCING PEACE OFFICER IMPERSONATION 2/14 referred to House jud.

## H2683: POTENTIALLY DANGEROUS PERSONS; DHS; REPORTING

The Dept of Health Services is required to establish a toll-free telephone number to connect callers to the appropriate regional behavioral health authority crisis team to receive reports of disruptive behavior, evaluate the information and take appropriate action. Employers and teachers are required to report disruptive behavior of an employee or student that might be a danger to self or others.

First sponsor: Rep. Judd

Others: Rep. Chabin, Rep. Fann, Rep. Gowan, Rep. Hobbs, Rep. R. Miranda, Rep. Proud

Lists: Kim MacEachern, Refer to Council

Categories: monitor

H2683 Daily History

Date Action

POTENTIALLY DANGEROUS PERSONS; DHS; REPORTING 2/9 referred to House hel-hu ser.

## H2684: CHILD PROSTITUTION; SENTENCING

Eliminates the requirement that child prostitution offenses be done "knowingly" and the provision that a person engaging in prostitution with a minor be at least 18 years of age. Also eliminates different criminal classifications and sentencing levels for child prostitution which were previously dependent on the age of the victim, thereby making all child prostitution offenses a class 2 (second highest) felony.

First sponsor: Rep. Goodale

Others: Rep. Brophy McGee, Rep. Carter, Rep. R. Gray, Rep. Hobbs, Rep. Jones, Rep. Stevens, Rep. Vogt, Sen. Aboud

Lists: Kim MacEachern, Refer to Council

Categories: monitor

### General Comments (all lists):

monitor; a strict liability stdrd; not likely to get heard

H2684 Daily History

Date Action

CHILD PROSTITUTION; SENTENCING 2/14 referred to House jud.

## H2687: PROSTITUTION; CHILDREN; TRAFFICKING

The list of reasons a child may be taken into temporary custody by a peace officer or CPS worker is expanded to include that there is reason to believe the child is a victim or will imminently become a victim of child prostitution or sex trafficking. A minor who is a victim of child prostitution cannot be charge with prostitution. Knowingly entering a house of prostitution of engaging a prostitution enterprise is a class 1 (highest) misdemeanor.

First sponsor: Rep. McCune Davis

Others: Rep. Ash

Lists: Kim MacEachern, Refer to Council

Categories: monitor

**General Comments (all lists):**

Diane Post-focus on customer ; MCAO will oppose; likely not to get a hearing

H2687 Daily History

Date Action

PROSTITUTION; CHILDREN; TRAFFICKING 2/9 referred to House jud.

## **H2691: FIREARM SALES; REPORTING; INSPECTIONS**

A person who sells 3 or more high caliber firearms (defined) to another person must report the sale and the purchaser's name to the Dept of Public Safety. Some exceptions. The department must maintain a computerized record system containing the information for the purpose of investigating and enforcing the law. Also requires the department to inspect and review the business records of any retailer who sells firearms to the public if the department becomes aware that the retailer cannot account for each firearm sold.

First sponsor: Rep. R. Miranda

Others: Rep. Tovar

Lists: Refer to Council

Categories: monitor

**General Comments (all lists):**

no tlikely to get a hearing

H2691 Daily History

Date Action

FIREARM SALES; REPORTING; INSPECTIONS 2/9 referred to House jud.

## **H2711: WEAPON; HIGH CAPACITY MAGAZINE; PROHIBITED**

The list of prohibited weapons for the purpose of misconduct involving weapons is expanded to include a large capacity ammunition feeding device (defined).

First sponsor: Rep. Farley

Others: Rep. Ableser, Rep. Alston, Rep. Arredondo, Rep. Chabin, Rep. Gonzales, Rep. Hale, Rep. Heinz, Rep. Hobbs, Rep. McCune Davis, Rep. Meyer, Rep. R. Miranda, Rep. C. Miranda, Rep. Saldate, Rep. Tovar, Rep. Wheeler, Sen. Aboud, Sen. Cajero Bedford, Sen. Gallardo, Sen. Lopez

Lists: Kim MacEachern, Refer to Council

Categories: monitor

**General Comments (all lists):**

PCAO strong support; MCAO strong opposition-not yet referred to a committee

H2711 Daily History

Date Action

WEAPON; HIGH CAPACITY MAGAZINE; PROHIBITED 2/14 referred to House mil-pub, jud.

## **HCR2031: CRIME VICTIMS; PROTECTION FROM LIABILITY [Neutral]**

The 2012 general election ballot is to carry the question of whether to amend the state Constitution to indemnify a crime victim from a damage claim by a person who is harmed while committing, attempting to commit or fleeing after committing a felony.

First sponsor: Rep. Seel

Lists: Kim MacEachern, Refer to Council

Categories: monitor

**General Comments (all lists):**

See also SCR1020

HCR2031 Daily History	Date	Action
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No actions posted for this bill within the requested time frame.

## **S1020: TECH CORRECTION; CHILD WELFARE AGENCY [Neutral]**

Minor changes to Title 8 (Children), relating to child welfare and placement.  
Apparent striker bus.

First sponsor: Sen. L. Gray

Lists: Refer to Council

Categories: no position

**General Comments (all lists):**

Subject of another striker now no licensing of peace officers; private investigators.

S1020 Daily History	Date	Action
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TECH CORRECTION; CHILD WELFARE AGENCY 2/17 from Senate pub-hu ser with amend [#4254](#).

TECH CORRECTION; CHILD WELFARE AGENCY 2/16 Senate pub-hu ser amended; report awaited.

TECH CORRECTION; CHILD WELFARE AGENCY 1/27 further referred to Senate pub-hu ser.

TECH CORRECTION; CHILD WELFARE AGENCY 1/10 referred to Senate rules only.

## **S1201: FIREARMS OMNIBUS [Oppose]**

The state and state agencies are prohibited from enacting any ordinance, rule or tax relating to the transportation, possession, sale, gift, storage, registration or use of firearms or ammunition. It is no longer misconduct involving weapons to carry a deadly weapon in a public establishment or at a public event after a request from the operator to remove the weapon for temporary and secure storage. The state, state agencies, and political subdivisions may limit or prohibit firearms in a public establishment or at a public event that is issued a liquor license at times when alcoholic beverages are available for consumption on the premises, with some exceptions. The limit or prohibition must be done with specified signs and meet other requirements. An employee or official acting on behalf of the state, agency, or political subdivision who knowingly violates this statute is guilty of a class 5 felony, and no public monies may be spent defending a person who is charged with a violation.

First sponsor: Sen. Gould

Others: Rep. Barton, Rep. Burges, Rep. Crandell, Rep. Gowan, Rep. Harper, Rep. Judd, Rep. Mesnard, Rep. Seel, Rep. Smith, Rep. Stevens, Sen. Murphy, Sen. Nelson, Sen. Pearce

Lists: Kim MacEachern, LPC January 26, Master List, Oppose, Refer to Council

Categories: oppose

**General Comments (all lists):**

Among the many cl 5 felonies it creates is the one if you don't prosecute your own agencies the CA's can be charged; also changes Shannon's Law

Oppose even with Stakeholder changes is recommended to full council

S1201 Daily History	Date	Action
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FIREARMS OMNIBUS	2/8	from Senate jud with amend <a href="#">#4086</a> .
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FIREARMS OMNIBUS	1/24	referred to Senate jud.
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**S1253: PEACE OFFICERS; VICTIMS, WITNESSES; IMMIGRATION STATUS**

A peace officer is prohibited from asking a victim of a crime or a witness to a crime about that person's nationality or immigration status except as necessary to investigate the incident.

First sponsor: Sen. Gallardo

Lists: Kim MacEachern, Refer to Council

Categories: no position

S1253 Daily History	Date	Action
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PEACE OFFICERS; VICTIMS, WITNESSES; IMMIGRATION STATUS	1/26	referred to Senate jud.
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**S1317: RETIREMENT; PSPRS; CORP; EORP; ADMINISTRATION [Neutral]**

Various changes in statutes dealing with the Public Safety Personnel Retirement System, the Corrections Officers' Retirement Plan and the Elected Officials' Retirement Plan. Police and fire chiefs are specifically entitled to become members of PSPRS. Language that permitted a member of PSPRS who participated in the deferred retirement option plan (DROP) and who became disabled during the period of DROP participation to apply for disability benefits is deleted. The PSPRS Board is prohibited from making a retroactive pension payment to a person that is more than 90 days after the date of the person's application for benefits. The time period within which CORP employers are required to forward members' contributions is extended to 10 working days from 5 working days. Employers are subject to a daily penalty (calculated at 10% per annum) if contributions are not timely received.

First sponsor: Sen. Yarbrough

Lists: Kim MacEachern, Refer to Council

Categories: monitor

S1317 Daily History	Date	Action
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RETIREMENT; PSPRS; CORP; EORP; ADMINISTRATION	2/21	from Senate fin with amend <a href="#">#4361</a> .
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RETIREMENT; PSPRS; CORP; EORP; ADMINISTRATION	2/17	Senate fin amended; report awaited.
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RETIREMENT; PSPRS; CORP; EORP; ADMINISTRATION	1/31	referred to Senate fin.
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**S1329: PUBLIC EMPLOYEES; LOBBYING; POLITICAL ACTIVITIES [Neutral]**

A public employee paid in whole or in part from taxpayer monies is prohibited from engaging in political activity or lobbying a governmental entity during the employee's hours of employment unless the person takes unpaid leave or uses vacation or compensatory time. Persons registered as authorized public lobbyists or as designated public lobbyists are exempt from the restriction against lobbying. Public entities are prohibited from using taxpayer monies to fund any part of a rally, protest or lobbying effort.

First sponsor: Sen. Antenori

Others: Rep. Gowan, Rep. Montenegro, Rep. Stevens

Lists: Kim MacEachern, Refer to Council

Categories: monitor

S1329 Daily History	Date	Action
PUBLIC EMPLOYEES; LOBBYING; POLITICAL ACTIVITIES	2/15	from Senate rules okay. Stricken from Senate consent calendar by Gallardo.
PUBLIC EMPLOYEES; LOBBYING; POLITICAL ACTIVITIES	2/14	to Senate consent calendar.
PUBLIC EMPLOYEES; LOBBYING; POLITICAL ACTIVITIES	2/10	from Senate gov ref do pass.
PUBLIC EMPLOYEES; LOBBYING; POLITICAL ACTIVITIES	2/9	Senate gov ref do pass; report awaited.
PUBLIC EMPLOYEES; LOBBYING; POLITICAL ACTIVITIES	1/31	referred to Senate gov ref.

## **S1332: PUBLIC AGENCIES; ELECTED OFFICIALS; COMMUNICATIONS [Neutral]**

Elected officials and public agencies are prohibited from using public monies for any print media, visual media or broadcast media announcement or any website campaign to self-promote. Some exceptions.

First sponsor: Sen. Antenori

Others: Rep. Gowan, Rep. Montenegro, Rep. Stevens, Sen. Melvin, Sen. Shooter

Lists: Kim MacEachern, Refer to Council

Categories: monitor

### **General Comments (all lists):**

K. mayer clarified with Antenori that if the communication is for a legit public interest such as 10 year reports or successful prosecutions are fine. Just can't advertise oneself as the best pros, etc. Offered some language to tighten it up and it was adopted but now reworking with transit/srp folks.

S1332 Daily History	Date	Action
PUBLIC AGENCIES; ELECTED OFFICIALS; COMMUNICATIONS	2/15	from Senate rules okay.
PUBLIC AGENCIES; ELECTED OFFICIALS; COMMUNICATIONS	2/14	from Senate gov ref with amend <a href="#">#4165</a> .
PUBLIC AGENCIES; ELECTED OFFICIALS; COMMUNICATIONS	2/9	Senate gov ref amended; report awaited.
PUBLIC AGENCIES; ELECTED OFFICIALS; COMMUNICATIONS	1/31	referred to Senate gov ref.

## **S1334: HUNTING WITHIN CITY LIMITS**

Political subdivisions are prohibited from enacting any ordinance or regulation limiting the area of a lawful hunting event during open season established by the Game and Fish Commission. Some exceptions.

First sponsor: Sen. Antenori

Others: Rep. Gowan, Rep. Montenegro, Rep. Stevens, Sen. Allen, Sen. Biggs, Sen. Gould, Sen. Klein, Sen. Nelson, Sen. Smith

Lists: Kim MacEachern, Refer to Council



Categories: no position

S1334 Daily History	Date	Action
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HUNTING WITHIN CITY LIMITS 2/15 from Senate rules with a technical amendment.

HUNTING WITHIN CITY LIMITS 2/8 from Senate nat res-trans with amend #4082.

HUNTING WITHIN CITY LIMITS 1/31 referred to Senate nat res-trans.

## **S1340: RETIREMENT; DEFINED CONTRIBUTION SYSTEM [Neutral]**

Creates an Arizona State Defined Contribution Retirement System (DC System). Beginning January 1, 2012, the DC System is the single retirement program for all new employees, and those employees are ineligible for membership in ASRS. Establishes provisions regulating the DC system, including powers and duties of a DC System Board, employee and employer contributions, retirement age, amount of annuity payments, and termination of membership.

First sponsor: Sen. Antenori

Lists: Kim MacEachern, Refer to Council

Categories: monitor

S1340 Daily History	Date	Action
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RETIREMENT; DEFINED CONTRIBUTION SYSTEM 1/31 referred to Senate fin.

## **S1342: BORDER SECURITY; ARIZONA RANGERS [Neutral]**

The Arizona Rangers are authorized to engage in border security activities in accordance with a proclamation by the Governor, and to enter into mutual assistance and support agreements pertaining to border security activities with law enforcement agencies.

First sponsor: Sen. Antenori

Others: Sen. Shooter

Lists: Kim MacEachern, Refer to Council

Categories: monitor

S1342 Daily History	Date	Action
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BORDER SECURITY; ARIZONA RANGERS 2/10 Senate border-fed-sov held.

BORDER SECURITY; ARIZONA RANGERS 1/31 referred to Senate border-fed-sov.

## **S1351: UNINSURED VEHICLES; COLLISION DAMAGES; IMPOUNDMENT**

Peace officers are required to immobilize or impound a vehicle if a person is driving the vehicle without motor vehicle insurance. If a vehicle impounded for this reason and vehicle ownership is transferred, the person possessing the vehicle must pay 50% of all monies received from the transfer of ownership to the Dept of Transportation, to be deposited in the Highway Patrol Fund. Motor vehicle owners cannot bring an action to recover collision damages if the vehicle was uninsured.

First sponsor: Sen. Antenori

Others: Rep. Gowan, Rep. Montenegro, Rep. Stevens, Rep. Vogt, Sen. L. Gray, Sen. Klein, Sen. Melvin, Sen. Reagan, Sen. Shooter, Sen. Smith, Sen. Yarbrough

Lists: Kim MacEachern, Refer to Council

Categories: no position

S1351 Daily History	Date	Action
UNINSURED VEHICLES; COLLISION DAMAGES; IMPOUNDMENT 1/31 referred to Senate nat res-trans, appro.		

## S1352: PHOTO RADAR PROHIBITION

Local authorities and state agencies are prohibited from using photo enforcement systems to identify violators of traffic signals and speed restrictions. Statutes governing the use of photo enforcement systems are repealed.

First sponsor: Sen. Antenori

Others: Rep. Burges, Rep. Gowan, Rep. Kavanagh, Rep. Mesnard, Rep. Montenegro, Rep. Smith, Rep. Stevens, Rep. Ugenti, Sen. Biggs, Sen. Gould, Sen. Klein

Lists: Kim MacEachern, Refer to Council

Categories: no position

S1352 Daily History	Date	Action
PHOTO RADAR PROHIBITION 2/17 from Senate gov ref do pass.		
PHOTO RADAR PROHIBITION 1/31 referred to Senate gov ref.		

## S1353: MOVING VIOLATIONS; ASSESSMENT; ENFORCEMENT; EQUIPMENT

Levies an additional assessment of \$10 on every civil penalty or fine resulting from a citation for a civil traffic violation, a misdemeanor, or a violation of any local ordinance relating to the stopping, standing, or operation of a vehicle. Half of the assessment is deposited in the Public Safety Equipment Fund, and the other half is transmitted to the law enforcement agency that issued the citation. Repeals the state photo enforcement system and related statutes. Monies received by the Fund beyond the first \$1.2 million per FY are no longer deposited in the general fund.

First sponsor: Sen. Antenori

Others: Rep. Gowan, Rep. Judd

Lists: Kim MacEachern, Refer to Council

Categories: no position

### General Comments (all lists):

No position except that it appears unconstitutional in that it sets up a conflict of interest. K. Mayer communicated this to the sponsor who indicated ADOT is not receptive of this bill either.

S1353 Daily History	Date	Action
MOVING VIOLATIONS; ASSESSMENT; ENFORCEMENT; EQUIPMENT 2/10 from Senate gov ref do pass.		
MOVING VIOLATIONS; ASSESSMENT; ENFORCEMENT; EQUIPMENT 2/9 Senate gov ref do pass; report awaited.		
MOVING VIOLATIONS; ASSESSMENT; ENFORCEMENT; EQUIPMENT 1/31 referred to Senate gov ref, appro.		

## S1354: PHOTO ENFORCEMENT; VIOLATOR IDENTIFICATION; RESPONSE

If a person received a notice of violation or uniform traffic ticket in the mail for a speeding violation or failure to obey a traffic control device that is obtained using a photo enforcement system, the person does not have to identify who is in the photo or respond to the notice of violation or the uniform traffic ticket.

First sponsor: Sen. Antenori  
Others: Rep. Gowan

Lists: Kim MacEachern, Refer to Council

Categories: no position

S1354 Daily History	Date	Action
PHOTO ENFORCEMENT; VIOLATOR IDENTIFICATION; RESPONSE 2/21 from Senate gov ref with amend <a href="#">#4331</a> .		
PHOTO ENFORCEMENT; VIOLATOR IDENTIFICATION; RESPONSE 2/16 Senate gov ref amended; report awaited.		
PHOTO ENFORCEMENT; VIOLATOR IDENTIFICATION; RESPONSE 1/31 referred to Senate gov ref.		

### **S1356: EVADING ARREST OR DETENTION; CRIME [Neutral]**

A person who intentionally flees from a peace officer attempting to lawfully arrest or detain him/her commits the crime of evading arrest. Evading arrest is a class 1 (highest) misdemeanor, except that it is a class 3 felony if the offense causes serious bodily injury to another person and a class 2 felony if the offense involves the death of another person.

First sponsor: Sen. Antenori  
Others: Rep. Vogt

Lists: Kim MacEachern, Refer to Council

Categories: monitor

#### **General Comments (all lists):**

ACASA could take this one

S1356 Daily History	Date	Action
EVADING ARREST OR DETENTION; CRIME 2/15 from Senate jud do pass.		
EVADING ARREST OR DETENTION; CRIME 2/14 Senate jud do pass; report awaited.		
EVADING ARREST OR DETENTION; CRIME 1/31 referred to Senate jud.		

### **S1358: MEDICAL MARIJUANA; RESIDENCY; LOCATION; REQUIREMENTS [Neutral]**

Statutes governing medical marijuana are amended to state a registered qualifying patient, designated caregiver and a nonprofit medical marijuana dispensary agent must be Arizona residents. Nonprofit medical marijuana dispensaries must be located in Arizona and cannot import or export medical marijuana to or from Arizona. Due to voter protection, this bill requires the affirmative vote of 3/4 of each house of the Legislature for passage (Prop 105).

First sponsor: Sen. Antenori  
Others: Rep. Gowan, Rep. Harper, Rep. Vogt, Sen. Allen, Sen. Barto, Sen. Crandall, Sen. L. Gray, Sen. Griffin, Sen. Klein, Sen. McComish, Sen. Melvin, Sen. Nelson, Sen. Pearce, Sen. Pierce, Sen. Shooter, Sen. Smith, Sen. Yarbrough

Lists: Kim MacEachern, Refer to Council

Categories: monitor

S1358 Daily History

Date Action

MEDICAL MARIJUANA; RESIDENCY; LOCATION; REQUIREMENTS 2/16 Senate gov ref FAILED 1-5.

MEDICAL MARIJUANA; RESIDENCY; LOCATION; REQUIREMENTS 1/31 referred to Senate gov ref.

### **S1359: ARIZONA RANGERS; IMPERSONATION; OFFENSE [Neutral]**

It is a class 1 (highest) misdemeanor to impersonate an Arizona Ranger.

First sponsor: Sen. Antenori

Others: Rep. Gowan, Sen. Allen, Sen. Barto, Sen. L. Gray, Sen. Melvin, Sen. Nelson, Sen. Pearce, Sen. Shooter, Sen. Smith

Lists: Kim MacEachern, Refer to Council

Categories: monitor

S1359 Daily History

Date Action

ARIZONA RANGERS; IMPERSONATION; OFFENSE 1/31 referred to Senate jud.

### **S1360: ARIZONA RANGERS; RED & BLUE LIGHTS [Oppose]**

A vehicle operated by an Arizona Ranger for official Ranger purposes may be equipped with a lighted lamp exhibiting a red and blue light or lens.

First sponsor: Sen. Antenori

Others: Rep. Gowan, Sen. Barto, Sen. Crandall, Sen. L. Gray, Sen. Griffin, Sen. McComish, Sen. Melvin, Sen. Nelson, Sen. Shooter, Sen. Smith

Lists: Kim MacEachern, Refer to Council

Categories: oppose

#### **General Comments (all lists):**

They are not peace officers

S1360 Daily History

Date Action

ARIZONA RANGERS; RED & BLUE LIGHTS 2/9 Senate pub-hu ser held.

ARIZONA RANGERS; RED & BLUE LIGHTS 1/31 referred to Senate pub-hu ser.

### **S1368: HUMAN SMUGGLING ORGANIZATION; OFFENSE; PENALTY [Support]**

The crime of participating in a human smuggling organization (defined) is added to the criminal code as a class 2 (second highest) felony. The crime of assisting a human smuggling organization is a class 3 felony.

First sponsor: Sen. Antenori

Others: Rep. Gowan, Rep. Harper, Rep. Montenegro, Rep. Stevens, Rep. Vogt, Sen. Driggs, Sen. Klein, Sen. Shooter

Lists: Kim MacEachern, Refer to Council

Categories: MCAO, support

#### **General Comments (all lists):**

MCAO mirror in house

S1368 Daily History

Date Action

HUMAN SMUGGLING ORGANIZATION; OFFENSE; PENALTY 2/15 from Senate jud do pass.

HUMAN SMUGGLING ORGANIZATION; OFFENSE; PENALTY 2/14 Senate jud do pass; report awaited.

HUMAN SMUGGLING ORGANIZATION; OFFENSE; PENALTY 1/31 referred to Senate jud.

### **S1383: AHCCCS; TRANSPLANTS; RESTORATION [Neutral]**

Restores a list of transplants to the list of AHCCCS-covered services. Allows monies in the Automobile Theft Authority Fund to be spent for organ transplants for AHCCCS patients. Appropriates \$1.4 million from the Fund in FY2011-2012 to AHCCCS for organ transplants.

First sponsor: Sen. Aboud

Lists: Kim MacEachern, Refer to Council

Categories: monitor

#### **General Comments (all lists):**

mtg with sponsor suggested

S1383 Daily History

Date Action

AHCCCS; TRANSPLANTS; RESTORATION 1/31 referred to Senate hel-med, appro.

### **S1396: DOMESTIC RELATIONS; SUPPORT; COMMUNITY RESTITUTION**

When determining whether a parent has failed to provide reasonable support, the court must consider the parent's employment history, education level, and the current unemployment rate. A parent unable to pay child support may petition the court to stay all remedies if the parent has lost employment and is actively seeking employment. Also requires the court to notify a parent that he/she is entitled to a written court analysis and conclusions of fact and law regarding the issues of child custody, community property, community debt, and child support.

First sponsor: Sen. Allen

Others: Rep. Barton, Sen. Reagan, Sen. Sinema

Lists: Kim MacEachern, Refer to Council

Categories: no position

#### **General Comments (all lists):**

AGO issues?

no position

S1396 Daily History

Date Action

DOMESTIC RELATIONS; SUPPORT; COMMUNITY RESTITUTION 2/17 from Senate pub-hu ser with amend #4259.

DOMESTIC RELATIONS; SUPPORT; COMMUNITY RESTITUTION 2/16 Senate pub-hu ser amended; report awaited.

DOMESTIC RELATIONS; SUPPORT; COMMUNITY RESTITUTION 1/31 referred to Senate pub-hu ser.

### **S1410: SHERIFF; POWERS AND DUTIES [Oppose]**

Designates the county sheriff as the constitutional and primary law enforcement officer in the county and grants him/her complete jurisdiction within each county for law enforcement purposes.

First sponsor: Sen. Smith

Others: Rep. Fillmore, Sen. Allen, Sen. Antenori, Sen. Biggs, Sen. Bundgaard, Sen. Gould, Sen. Griffin, Sen. Klein, Sen. Melvin, Sen. Pearce, Sen. Shooter

Lists: Kim MacEachern, Refer to Council

Categories: oppose

S1410 Daily History	Date	Action
SHERIFF; POWERS AND DUTIES	2/16	Senate gov ref held.
SHERIFF; POWERS AND DUTIES	1/31	referred to Senate gov ref.

## **S1411: COUNTY ELECTED OFFICERS; AUTHORITY [Oppose]**

Justices of the Peace are added to the statutory list of county officers. Elected county officers in counties with a population of more than 350,000 (currently Maricopa and Pima) have the full authority and discretion to choose the appropriate means to accomplish the statutory duties of the office, including a list of enumerated powers. In these counties, the county board of supervisors must appropriate monies to elected and appointed county officers in a lump sum.

First sponsor: Sen. Smith

Others: Rep. Fillmore, Sen. Bundgaard, Sen. Gould, Sen. Griffin, Sen. Melvin, Sen. Pearce, Sen. Shooter

Lists: Kim MacEachern, Refer to Council

Categories: oppose

S1411 Daily History	Date	Action
COUNTY ELECTED OFFICERS; AUTHORITY	2/17	from Senate gov ref do pass.
COUNTY ELECTED OFFICERS; AUTHORITY	2/16	Senate gov ref do pass; report awaited.
COUNTY ELECTED OFFICERS; AUTHORITY	1/31	referred to Senate gov ref.

## **S1421: MEDICAL MARIJUANA; TAXATION [Neutral]**

Medical marijuana is not exempt from sales tax. Also, a luxury tax of \$5 per ounce is levied on medical marijuana. Additionally, a licensing fee (amount is blank in original) is assessed on each medical marijuana dispensary. Because this act will result in a net increase in state revenue, a 2/3 majority in each chamber is required for passage (per Prop 108).

First sponsor: Sen. Bundgaard

Others: Sen. Pierce

Lists: Kim MacEachern, Refer to Council

Categories: monitor

### **General Comments (all lists):**

Not an AGO bill.

S1421 Daily History	Date	Action
MEDICAL MARIJUANA; TAXATION	2/17	Senate fin FAILED 2-5.
MEDICAL MARIJUANA; TAXATION	2/1	referred to Senate fin.

## **S1425: ASSESSMENT; FAMILY OFFENSES; DOMESTIC VIOLENCE [Support]**

A person convicted of harassment, aggravated harassment, stalking or various family offenses, including domestic violence, must pay a \$450 assessment in addition to any other fine, fee or assessment. Proceeds are deposited in the Victim Compensation and Assistance Fund for distribution to domestic violence shelters.

First sponsor: Sen. Nelson

Lists: Kim MacEachern, Refer to Council

Categories: support

### **General Comments (all lists):**

Take Sen. Nelson a DV poster and find out why

S1425 Daily History	Date	Action
ASSESSMENT; FAMILY OFFENSES; DOMESTIC VIOLENCE	2/10	withdrawn from Senate jud.
ASSESSMENT; FAMILY OFFENSES; DOMESTIC VIOLENCE	2/1	referred to Senate jud, appro.

## **S1426: DRIVER LICENSES; NEIGHBORHOOD ELECTRIC VEHICLES [Neutral]**

Establishes a Class N driver license valid for operating a neighborhood electric vehicle. A person whose class D, G, or M driver license has been suspended is eligible to apply for a class N license. The license fee is to be established by the director of the Dept of Transportation.

First sponsor: Sen. Nelson

Lists: Kim MacEachern, Refer to Council

Categories: monitor

S1426 Daily History	Date	Action
DRIVER LICENSES; NEIGHBORHOOD ELECTRIC VEHICLES	2/15	from Senate nat res-trans do pass.
DRIVER LICENSES; NEIGHBORHOOD ELECTRIC VEHICLES	2/14	Senate nat res-trans do pass; report awaited.
DRIVER LICENSES; NEIGHBORHOOD ELECTRIC VEHICLES	2/1	referred to Senate nat res-trans.

## **S1433: FEDERAL LEGISLATION; STATE NULLIFICATION [Oppose]**

Establishes a Joint Legislative Committee on nullification of federal laws consisting of the President of the Senate, the Speaker of the House of Representatives, and six additional members of each chamber. The Committee shall recommend, propose and call for a vote to nullify in its entirety a specific federal law or regulation that is outside the scope of powers delegated by the people to the federal government in the United States Constitution. The Committee is authorized to review all existing federal statutes, mandates and executive orders for the purpose of determining their constitutionality. On the Committee's recommendation for nullification, the Legislature is required to vote on whether to nullify the action within 60 days. If the Legislature votes by simple majority to nullify any federal statute, mandate or executive order, the state of Arizona and its citizens cannot recognize or be obligated to live under the statute, mandate or executive order. Contains a legislative intent section. The Secretary of State is required to transmit copies of this act to the federal government and other state legislatures.

First sponsor: Sen. Klein

Others: Rep. Burges, Rep. Harper, Rep. Montenegro, Sen. Allen, Sen. Pearce

Lists: Kim MacEachern, Refer to Council

Categories: oppose

**General Comments (all lists):**

Calhoun memorial bill; civil war decided supremacy; as officers of the court must oppose; guiding principles

S1433 Daily History	Date	Action
FEDERAL LEGISLATION; STATE NULLIFICATION	2/17	from Senate border-fed-sov do pass.
FEDERAL LEGISLATION; STATE NULLIFICATION	2/1	referred to Senate border-fed-sov.

## **S1444: PRIVATE PRISON CONTRACTORS; PUBLIC RECORDS**

Private prison contractors must make public all records relating to costs, operations, staff, and inmates, to the same extent required of publicly operated prisons or jails.

First sponsor: Sen. Lopez

Others: Rep. Farley, Rep. Heinz, Rep. C. Miranda

Lists: Kim MacEachern, Refer to Council

Categories: monitor

S1444 Daily History	Date	Action
PRIVATE PRISON CONTRACTORS; PUBLIC RECORDS	2/1	referred to Senate jud.

## **S1445: PRIVATE PRISONERS; TRANSFER**

A private prison is liable for its operation and the persons under its authority. Private prisons that house another state's prisoners or federal prisoners can only house prisoners classified as minimum or medium custody, and cannot house prisoners with specified criminal histories. Adds to the list of information that must be provided to the Dept of Public Safety and Dept of Corrections prior to a transfer of prisoners into and out of a private prison. Private prisons are required to provide a monthly report to DPS and DOC.

First sponsor: Sen. Lopez

Others: Rep. Farley, Rep. Heinz, Rep. C. Miranda, Sen. Jackson

Lists: Kim MacEachern, Refer to Council

Categories: monitor

S1445 Daily History	Date	Action
PRIVATE PRISONERS; TRANSFER	2/1	referred to Senate jud.

## **S1446: PRIVATE PRISONS; OVERSIGHT [Neutral]**

The Dept of Corrections is authorized to adopt rules for the random inspection of all private prisons in Arizona. Establishes requirements for security officers employed by a private prison contractor. Within 24 hours of an escape or serious physical injury to a prisoner, the private prison must notify the Dept of Public Safety, the Dept of Corrections and the governor.

First sponsor: Sen. Lopez

Others: Rep. Farley, Rep. Heinz, Rep. C. Miranda, Sen. Jackson



Lists: Kim MacEachern, Refer to Council

Categories: monitor

S1446 Daily History	Date Action
PRIVATE PRISONS; OVERSIGHT 2/1 referred to Senate jud.	

### **S1448: PRIVATE PRISONS; CAPACITY; NOTICE [Neutral]**

Private prisons are required to comply with American Corrections Association accreditation capacity requirements or the Dept of Corrections' published prison construction standards. Private prisons are required to immediately notify DOC of any major incident involving public health or safety that occurs at the private prison. Private prisons that house another state's prisoners or federal prisoners can only house prisoners classified as minimum or medium custody, and cannot house prisoners with specified criminal histories. Adds to the list of information that must be provided to the Dept of Public Safety and Dept of Corrections prior to a transfer of prisoners into and out of a private prison. Private prisons are required to provide a monthly report to DPS and DOC.

First sponsor: Sen. Lopez

Others: Rep. Farley, Rep. Heinz, Rep. C. Miranda, Sen. Jackson

Lists: Kim MacEachern, Refer to Council

Categories: monitor

S1448 Daily History	Date Action
PRIVATE PRISONS; CAPACITY; NOTICE 2/1 referred to Senate jud.	

### **S1449: PRIVATE PRISONS; REGULATION [Neutral]**

A private prison is liable for its operation and the persons under its authority. Private prisons are required to comply with the American Corrections Association accreditation capacity requirements or the Dept of Corrections' published prison construction standards. Private prisons are required to immediately notify DOC of any major incident involving public health or safety that occurs at the private prison. Private prisons that house another state's prisoners or federal prisoners can only house prisoners classified as minimum or medium custody, and cannot house prisoners with specified criminal histories. Adds to the list of information that must be provided to the Dept of Public Safety and Dept of Corrections prior to a transfer of prisoners into and out of a private prison. Private prisons are required to provide a monthly report to DPS and DOC.

First sponsor: Sen. Lopez

Others: Rep. Farley, Rep. Heinz, Rep. C. Miranda, Sen. Jackson

Lists: Kim MacEachern, Refer to Council

Categories: monitor

S1449 Daily History	Date Action
PRIVATE PRISONS; REGULATION 2/1 referred to Senate jud.	

### **S1450: GOVT ENTITIES; REPORTING VIOLENT BEHAVIOR; [Neutral]**

A governmental entity (including an institution of higher education) that has knowledge that a person has been expelled, suspended or terminated because of violence, threats of violence, or behavior that constitutes a danger to self or others must report that information to the proper law enforcement officials, which must transmit the information to the appropriate local or regional health agency or crisis center.

First sponsor: Sen. Aboud

Others: Sen. Antenori, Sen. Cajero Bedford, Sen. Lopez, Sen. Melvin

Lists: Kim MacEachern, Refer to Council

Categories: monitor

**General Comments (all lists):**

2559 wk w/ sponsor

S1450 Daily History

Date Action

GOVT ENTITIES; REPORTING VIOLENT BEHAVIOR; 2/1 referred to Senate jud.

## **S1459: LAW ENFORCEMENT; CRIMES; REPORTING**

All law enforcement agencies are required to post on their websites the number of crimes reported within their jurisdictions that are required to be reported to the FBI. These statistics must be maintained on the website for at least five consecutive years. County attorneys are required to report annually on the website the number of cases that were referred to the county attorney for prosecution by each law enforcement agency in that county.

First sponsor: Sen. Sinema

Others: Sen. Gallardo, Sen. Landrum Taylor, Sen. Meza

Lists: Kim MacEachern, Refer to Council

Categories: oppose

**General Comments (all lists):**

Monitor unless it moves then oppose in current form; costs associated with it. What is the problems could create a correlation problem as fed identifies not the same.

S1459 Daily History

Date Action

LAW ENFORCEMENT; CRIMES; REPORTING 2/1 referred to Senate jud.

## **S1465: VALID ID; CONSULAR CARDS; PROHIBITION [Neutral]**

The state and political subdivisions are prohibited from accepting a consular identification card issued by a foreign government as a valid form of identification.

First sponsor: Sen. Gould

Lists: Kim MacEachern, Refer to Council

Categories: monitor

**General Comments (all lists):**

Ask Gould; pulbic health? ie flu shot

S1465 Daily History	Date	Action
VALID ID; CONSULAR CARDS; PROHIBITION	2/15	from Senate rules okay. Stricken from Senate consent calendar by Gallardo.
VALID ID; CONSULAR CARDS; PROHIBITION	2/14	to Senate consent calendar.
VALID ID; CONSULAR CARDS; PROHIBITION	2/8	from Senate jud do pass.
VALID ID; CONSULAR CARDS; PROHIBITION	2/1	referred to Senate jud.

## **S1466: JUSTICE COURT; DEFERRED OR DIVERTED PROSECUTION [Oppose]**

If a complaint is filed in a justice of the peace court, the county attorney has must obtain the approval of the justice court before diverting or deferring prosecution of an offender.

First sponsor: Sen. Gould

Lists: Kim MacEachern, Refer to Council

Categories: oppose

### **General Comments (all lists):**

Unconstitutional? separtion of powers?

S1466 Daily History	Date	Action
JUSTICE COURT; DEFERRED OR DIVERTED PROSECUTION	2/15	from Senate jud do pass.
JUSTICE COURT; DEFERRED OR DIVERTED PROSECUTION	2/14	Senate jud do pass; report awaited.
JUSTICE COURT; DEFERRED OR DIVERTED PROSECUTION	2/1	referred to Senate jud.

## **S1469: USE OF FORCE; JUSTIFICATION [Oppose]**

Various changes related to justification for the use of force, including that a person who is unlawfully or forcefully entering or has unlawfully or forcefully entered a residential structure or occupied vehicle is presumed to pose an imminent threat of unlawful deadly harm to any person who is in the structure or vehicle. A person who is justified in the use of force is not subject to criminal prosecution for the justified conduct and may be awarded reasonable costs incurred in that person's defense if certain conditions are met.

First sponsor: Sen. Gould

Others: Sen. Pearce

Lists: Kim MacEachern, Oppose, Refer to Council

Categories: oppose

### **General Comments (all lists):**

With amendment, no position. Without amendment oppose on the basis of general principles.

S1469 Daily History	Date	Action
USE OF FORCE; JUSTIFICATION	2/15	from Senate jud with amend <u>#4210</u> .
USE OF FORCE; JUSTIFICATION	2/14	Senate jud amended; report awaited.
USE OF FORCE; JUSTIFICATION	2/7	Senate jud held.
USE OF FORCE; JUSTIFICATION	2/1	referred to Senate jud.

## **S1481: SUPREME COURT; COMPOSITION**

Increases the number of justices on the Arizona Supreme Court to seven from five.

First sponsor: Sen. Gould

Lists: Kim MacEachern, Refer to Council

Categories: oppose

S1481 Daily History	Date	Action
SUPREME COURT; COMPOSITION	2/14	Senate jud FAILED 3-4.
SUPREME COURT; COMPOSITION	2/1	referred to Senate jud.

## **S1482: APPELLATE JUDGES; JUDICIAL PERFORMANCE REVIEWS**

No later than 60 days prior to the primary election for the retention of an appellate court judge, the Commission on Judicial Performance Review must prepare and publish on its website a list of the decisions of that judge, including an electronic copy of the text of the decision.

First sponsor: Sen. Gould

Lists: Kim MacEachern, Refer to Council

Categories: no position

S1482 Daily History	Date	Action
APPELLATE JUDGES; JUDICIAL PERFORMANCE REVIEWS	2/15	from Senate jud do pass.
APPELLATE JUDGES; JUDICIAL PERFORMANCE REVIEWS	2/14	Senate jud do pass; report awaited.
APPELLATE JUDGES; JUDICIAL PERFORMANCE REVIEWS	2/1	referred to Senate jud.

## **S1484: TERRORISM; RADIOLOGICAL AGENT; INFECTIOUS SUBSTANCES [Support]**

Adds several acts relating to possessing, manufacturing, selling or causing injury with a biological substance or radiological agent to the list of unlawful acts classified as terrorism, which is a class 2 (second highest) felony.

First sponsor: Sen. Gould

Lists: Kim MacEachern, Refer to Council

Categories: support

### **General Comments (all lists):**

MCSO bill; harm to public allows support before vote under general principles.

S1484 Daily History	Date	Action
TERRORISM; RADIOLOGICAL AGENT; INFECTIOUS SUBSTANCES	2/15	from Senate jud do pass.
TERRORISM; RADIOLOGICAL AGENT; INFECTIOUS SUBSTANCES	2/14	Senate jud do pass; report awaited.
TERRORISM; RADIOLOGICAL AGENT; INFECTIOUS SUBSTANCES	2/7	Senate jud held.
TERRORISM; RADIOLOGICAL AGENT; INFECTIOUS SUBSTANCES	2/1	referred to Senate jud.

## **S1492: GRAND JURIES; EVIDENCE [Oppose]**

Requires, rather than permits, grand juries to hear evidence at the request of the person under investigation.

First sponsor: Sen. Gould

Lists: Kim MacEachern, Refer to Council

Categories: oppose

**General Comments (all lists):**

Misunderstands the function of the grand jury

S1492 Daily History

Date Action

GRAND JURIES; EVIDENCE 2/1 referred to Senate jud.

## **S1507: JUVENILE CO-DEFENDANTS; SAME JUDGE**

If two or more juveniles are codefendants, all matters concerning the juveniles must be heard by the same judge, when practicable.

First sponsor: Sen. Driggs

Others: Sen. Crandall

Lists: Kim MacEachern, Refer to Council

Categories: MCAO, support

S1507 Daily History

Date Action

JUVENILE CO-DEFENDANTS; SAME JUDGE 2/2 referred to Senate jud.

## **S1510: CAPITAL CASES; AGGRAVATING FACTORS**

That the defendant committed the offense in connection with a gang initiation killing is added to the list of aggravating factors for capital cases.

First sponsor: Sen. Driggs

Lists: Kim MacEachern, Refer to Council

Categories: support

**General Comments (all lists):**

Not much different from the current statute.

S1510 Daily History

Date Action

CAPITAL CASES; AGGRAVATING FACTORS 2/2 referred to Senate jud.

## **S1517: ANIMAL ABUSE; REPORTING**

If a person convicted of bestiality, cruelty to animals, or animal fighting is placed on probation, the person must be prohibited from adopting, fostering, owning, or otherwise having care or custody of any animal during probation. Any employee of the Dept of Economic Security or Dept of Health, public nursing or home health provider, or probation or parole officer who reasonably believes that an animal has been the victim of mistreatment or neglect, bestiality, animal fighting, cockfighting, or equine tripping must immediately report this information to a peace officer, animal control enforcement officer, or a livestock officer.

First sponsor: Sen. Melvin

Others: Sen. Aboud, Sen. Antenori, Sen. L. Gray

Lists: Kim MacEachern, Refer to Council

Categories: support

**General Comments (all lists):**

Melvin asked K. Mayer to draft some language to satisfy people concerned about serial abusers.

S1517 Daily History	Date	Action
ANIMAL ABUSE; REPORTING 2/17 from Senate com-energy do pass.		
ANIMAL ABUSE; REPORTING 2/16 Senate com-energy do pass; report awaited.		
ANIMAL ABUSE; REPORTING 2/10 withdrawn from Senate jud and referred to com-energy.		
ANIMAL ABUSE; REPORTING 2/2 referred to Senate jud.		

## **S1534: AGGRESSIVE DOGS; VICIOUS ANIMAL ASSAULT**

A person who owns or is responsible for an aggressive dog must take reasonable care to prohibit the dog from escaping and to prevent the dog from biting or attacking a person or domestic animal. Some exceptions. A person who intentionally or knowingly causes any dog to cause serious physical injury on a human being is guilty of a class 3 felony.

First sponsor: Sen. Melvin

Lists: Kim MacEachern, Refer to Council

Categories: monitor

**General Comments (all lists):**

Ag assault w/dog (Fish case). Exception for dog defending

S1534 Daily History	Date	Action
AGGRESSIVE DOGS; VICIOUS ANIMAL ASSAULT 2/15 from Senate jud do pass.		
AGGRESSIVE DOGS; VICIOUS ANIMAL ASSAULT 2/14 Senate jud do pass; report awaited.		
AGGRESSIVE DOGS; VICIOUS ANIMAL ASSAULT 2/2 referred to Senate jud.		

## **S1538: DRIVING; HANDHELD WIRELESS COMMUNICATION DEVICES**

It is a civil traffic violation for a person to use a handheld wireless communication device to write, send or read a written message while driving a motor vehicle. Some exceptions. The civil penalty for an offense is \$50, unless the person was involved in an accident, in which case the civil penalty is \$200.

First sponsor: Sen. Melvin

Others: Sen. Shooter

Lists: Kim MacEachern, Refer to Council

Categories: no position

S1538 Daily History	Date	Action
DRIVING; HANDHELD WIRELESS COMMUNICATION DEVICES	2/15	from Senate nat res-trans with amend <a href="#">#4181</a> .
DRIVING; HANDHELD WIRELESS COMMUNICATION DEVICES	2/14	Senate nat res-trans amended; report awaited.
DRIVING; HANDHELD WIRELESS COMMUNICATION DEVICES	2/9	withdrawn from Senate jud and referred to nat res-trans.
DRIVING; HANDHELD WIRELESS COMMUNICATION DEVICES	2/2	referred to Senate jud.

## **S1551: SMOKING IN VEHICLE WITH MINORS**

It is a nonmoving civil traffic violation to smoke in a vehicle if a person under 16 is also in the vehicle. Law enforcement officers must treat this infraction as a secondary offense and must have reasonable cause to believe there is another alleged violation. Civil penalties are prescribed.

First sponsor: Sen. Schapira

Lists: Kim MacEachern, Refer to Council

Categories: no position

S1551 Daily History	Date	Action
SMOKING IN VEHICLE WITH MINORS	2/2	referred to Senate jud.

## **S1559: JUVENILES; RESTITUTION; ADOPTIVE PARENTS; EXCEPTION**

A court order requiring a juvenile to make restitution for an offense does not apply to an adoptive parent who adopts the juvenile after he/she was determined by the court to be a dependent child.

First sponsor: Sen. Murphy

Lists: Kim MacEachern, Refer to Council

Categories: monitor

### **General Comments (all lists):**

need infomraiton from juvenile people regarding adoption of child who has such a debt

S1559 Daily History	Date	Action
JUVENILES; RESTITUTION; ADOPTIVE PARENTS; EXCEPTION	2/17	from Senate pub-hu ser with amend <a href="#">#4261</a> .
JUVENILES; RESTITUTION; ADOPTIVE PARENTS; EXCEPTION	2/16	Senate pub-hu ser amended; report awaited.
JUVENILES; RESTITUTION; ADOPTIVE PARENTS; EXCEPTION	2/2	referred to Senate pub-hu ser.

## **S1560: DEPENDENT CHILDREN; HEARINGS; NOTICE**

A person who refuses to take a test to determine if he/she is a child's natural parent permanently relinquishes all rights to custody of that child, but may still be required to provide child support for that child. Allows a prospective permanent placement to request a child's removal from that placement. If a motion for removal of a child is filed, a copy of the motion must be served on the prospective permanent placement at least 15 days prior to the hearing.

First sponsor: Sen. Murphy

Lists: Kim MacEachern, Refer to Council

Categories: no position

S1560 Daily History	Date	Action
DEPENDENT CHILDREN; HEARINGS; NOTICE 2/17 from Senate pub-hu ser do pass.		
DEPENDENT CHILDREN; HEARINGS; NOTICE 2/16 Senate pub-hu ser do pass; report awaited.		
DEPENDENT CHILDREN; HEARINGS; NOTICE 2/2 referred to Senate pub-hu ser.		

## **S1586: FIREARMS; BACKGROUND CHECKS; GUN SHOWS**

Requires a background check be conducted before the sale or transfer of a firearm at a gun show. A violation is subject to a fine of up to \$10,000.

First sponsor: Sen. Gallardo

Lists: Kim MacEachern, Refer to Council

Categories: no position

S1586 Daily History	Date	Action
FIREARMS; BACKGROUND CHECKS; GUN SHOWS 2/2 referred to Senate jud.		

## **S1587: FIREARMS; WEAPONS MISCONDUCT; UNIVERSITIES; COLLEGES**

The definition of "school" in the statutory prohibition against a person carrying a deadly weapon on school grounds is expanded to include state universities or community colleges.

First sponsor: Sen. Gallardo

Lists: Kim MacEachern, Refer to Council

Categories: no position

S1587 Daily History	Date	Action
MISCONDUCT INVOLVING WEAPONS; UNIVERSITIES; COLLEGES 2/2 referred to Senate jud.		

## **S1588: MISCONDUCT INVOLVING WEAPONS; STATE BUILDINGS**

The list of conduct classified as misconduct involving weapons is expanded to include entering any state building carrying a deadly weapon, unless specifically authorized by law.

First sponsor: Sen. Gallardo

Lists: Kim MacEachern, Refer to Council

Categories: no position

S1588 Daily History	Date	Action
MISCONDUCT INVOLVING WEAPONS; STATE BUILDINGS 2/2 referred to Senate jud.		

## **S1599: BAIL BOND AGENTS; RECOVERY AGENTS**



Various changes related to bail bond agents and bail recovery agents, including establishing new requirements for licensure, prohibited acts including prohibited collateral, requiring the Dept of Insurance to establish a schedule of reasonable bail bond agency expenses that may be charged to an arrestee, and establishing procedures if a defendant fails to appear and surrender himself to a bail bond agent. More.

First sponsor: Sen. Shooter

Others: Rep. McLain, Sen. McComish, Sen. Murphy

Lists: Kim MacEachern, Refer to Council

Categories: oppose

**General Comments (all lists):**

this seemed to have an LE focus but as added when it appeared the CA's civil deputies got involved. See also 2109;

LE strongly opposed

S1599 Daily History	Date	Action
BAIL BOND AGENTS; RECOVERY AGENTS	2/2	referred to Senate jud.

## SCR1020: CRIME VICTIMS; PROTECTION FROM LIABILITY

The 2012 general election ballot is to carry the question of whether to amend the state Constitution to indemnify a crime victim from a damage claim by a person who is harmed while committing, attempting to commit or fleeing after committing a felony.

First sponsor: Sen. Pearce

Others: Rep. Barton, Rep. Burges, Rep. Dial, Rep. Fann, Rep. Forese, Rep. Gowan, Rep. Harper, Rep. Kavanagh, Rep. Lesko, Rep. Proud, Rep. Smith, Rep. Stevens, Rep. Ugenti, Sen. Allen, Sen. Antenori, Sen. Barto, Sen. Biggs, Sen. Bundgaard, Sen. Crandall, Sen. Driggs, Sen. Gould, Sen. L. Gray, Sen. Griffin, Sen. Klein, Sen. McComish, Sen. Melvin, Sen. Nelson, Sen. Pierce, Sen. Shooter, Sen. Smith, Sen. Yarbrough

Lists: Kim MacEachern, Refer to Council

Categories: monitor

**General Comments (all lists):**

Per Janice Goildstein there is no real reason for this as it is already ocvered in statute.

SCR1020 Daily History	Date	Action
CRIME VICTIMS; PROTECTION FROM LIABILITY	2/15	from Senate rules okay.
CRIME VICTIMS; PROTECTION FROM LIABILITY	2/14	to Senate consent calendar.
CRIME VICTIMS; PROTECTION FROM LIABILITY	2/8	from Senate jud do pass.
CRIME VICTIMS; PROTECTION FROM LIABILITY	1/26	referred to Senate jud.

## SCR1029: PHOTO RADAR PROHIBITION

The 2010 general election ballot is to carry the question of whether to amend statute to prohibit local jurisdictions from using photo enforcement.

First sponsor: Sen. Antenori

Others: Rep. Burges, Rep. Gowan, Rep. Mesnard, Rep. Montenegro, Rep. Smith, Rep. Stevens, Rep. Ugenti, Sen. Biggs, Sen. Gould, Sen. Klein

Lists: Kim MacEachern, Refer to Council

Categories: no position

SCR1029 Daily History	Date	Action
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PHOTO RADAR PROHIBITION	2/17	from Senate gov ref do pass.
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PHOTO RADAR PROHIBITION	1/31	referred to Senate gov ref.
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## SCR1040: JUSTICES; JUDGES; REAPPOINTMENT; RECONFIRMATION

The 2012 general election ballot is to carry the question of whether to amend the state Constitution to establish an eight-year term of office for judges and justices and to change the method of their selection. The composition of Commission on Appellate Court Appointments is changed. The number of persons from whom the governor must select a judge or justice is increased to seven from three (if to a superior court) and to six from three (if to an appeals court). All appointments are subject to Senate confirmation. The president of the Senate may call the Senate into special session at any time to consider a judicial appointment. After serving an eight-year term, all judges are subject to reappointment and reconfirmation.

First sponsor: Sen. Gould

Lists: Kim MacEachern, Refer to Council

Categories: monitor

SCR1040 Daily History	Date	Action
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JUSTICES; JUDGES; REAPPOINTMENT; RECONFIRMATION	2/21	from Senate gov ref with amend <a href="#">#4332</a> .
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JUSTICES; JUDGES; REAPPOINTMENT; RECONFIRMATION	2/16	Senate gov ref amended; report awaited.
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JUSTICES; JUDGES; REAPPOINTMENT; RECONFIRMATION	2/15	withdrawn from Senate jud and referred to gov ref.
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JUSTICES; JUDGES; REAPPOINTMENT; RECONFIRMATION	2/2	referred to Senate jud.
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## SCR1041: SUPREME COURT; JURISDICTION

The 2012 general election ballot is to carry the question of whether to amend the state Constitution to restrict the jurisdiction of the Supreme Court so that it does not infringe on the authority of the Legislature or the people to enact otherwise constitutional substantive, procedural and evidentiary laws to define, implement, preserve and protect the rights of crime victims under the Constitution or to carry out any other matter that is a legislative power and not among the inherent powers of the judiciary.

First sponsor: Sen. Gould

Lists: Kim MacEachern, Refer to Council

Categories: monitor

SCR1041 Daily History	Date	Action
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SUPREME COURT; JURISDICTION	2/2	referred to Senate jud.
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## SCR1042: COURT APPOINTMENT COMMISSIONS

The 2012 general election ballot is to carry the question of whether to amend the state Constitution to include the House speaker and Senate president among those who have naming authority to the commissions that screen and recommend judicial applicants for superior, appeals and supreme court positions.

First sponsor: Sen. Gould

Lists: Kim MacEachern, Refer to Council

Categories: monitor

SCR1042 Daily History

Date Action

COMMISSIONS; APPELLATE; TRIAL COURT; APPOINTMENTS 2/2 referred to Senate jud.

### SCR1043: JUDICIAL NOMINEES; ALL QUALIFIED APPLICANTS

The 2012 general election ballot is to carry the question of whether to amend the state Constitution to require the commissions on appellate court appointments and superior court appointments to forward to the governor the names of all qualified applicants rather than a short list of at least three qualified people. The respective commission is required to rank the applicants by merit.

First sponsor: Sen. Gould

Lists: Kim MacEachern, Refer to Council

Categories: monitor

SCR1043 Daily History

Date Action

JUDICIAL NOMINEES; ALL QUALIFIED APPLICANTS 2/2 referred to Senate jud.

### SCR1044: JUDICIAL VACANCIES; APPOINTMENT BY GOVERNOR

The 2012 general election ballot is to carry the question of whether to amend the state Constitution to empower the governor to appoint to any judicial vacancy any qualified person of the governor's choosing. The roles of the commissions on judicial appointments are not changed.

First sponsor: Sen. Gould

Lists: Kim MacEachern, Refer to Council

Categories: monitor

SCR1044 Daily History

Date Action

JUDICIAL VACANCIES; APPOINTMENT BY GOVERNOR 2/2 referred to Senate jud.

### SCR1045: APPELLATE; TRIAL COMMISSIONS; GOVERNOR APPOINTMENT

The 2012 general election ballot is to carry the question of whether to amend the state Constitution to remove the role the board of governors of the State Bar had in nominating to the governor the attorney members of the commissions on judicial appointments. Effect is that the governor directly selects the attorney members. The role of the Senate in confirming the nominees is unchanged.

First sponsor: Sen. Gould

Lists: Kim MacEachern, Refer to Council

Categories: monitor

SCR1045 Daily History

Date Action

APPELLATE; TRIAL COMMISSIONS; GOVERNOR APPOINTMENT 2/2 referred to Senate jud.

## SCR1046: SUPREME; APPELLATE JUDGES; APPOINTMENT; CONFIRMATION

The 2012 general election ballot is to carry the question of whether to amend the state Constitution to lengthen the term of a supreme court justice to ten years from six years. A ten-year term is imposed on judges of the Court of Appeals. The manner in which the members of the Commission on Appellate Court Appointments are selected is changed to require that for each of the five attorney members, the State Bar is to send the governor a list of three nominees from which the governor must choose. Formerly, the governors of the State Bar nominated each attorney member of the commission and the governor appointed that person. Also, the additional composition of the commission is changed from 10 nonattorney members to 13 persons of whom two may be attorneys and one may be a retired judge. As before, naming authority for these resides with the governor. In the event of a vacancy on the Supreme Court or Court of Appeals, the commission must submit to the governor a list of at least six names (increased from three).

First sponsor: Sen. Gould

Lists: Kim MacEachern, Refer to Council

Categories: monitor

SCR1046 Daily History	Date Action
SUPREME; APPELLATE JUDGES; APPOINTMENT; CONFIRMATION 2/2 referred to Senate jud.	

## SCR1047: JUDICIAL CONDUCT; OPEN RECORDS; PROCEEDINGS

The 2012 general election ballot is to carry the question of whether to amend the state Constitution to state that documents and proceedings relating to complaints reviewed by the Commission on Judicial Conduct are public documents.

First sponsor: Sen. Gould

Lists: Kim MacEachern, Refer to Council

Categories: monitor

SCR1047 Daily History	Date Action
JUDICIAL CONDUCT; OPEN RECORDS; PROCEEDINGS 2/15 from Senate jud do pass.	
JUDICIAL CONDUCT; OPEN RECORDS; PROCEEDINGS 2/14 Senate jud do pass; report awaited.	
JUDICIAL CONDUCT; OPEN RECORDS; PROCEEDINGS 2/2 referred to Senate jud.	

## SCR1048: JUDICIAL RETENTION; SENATE VOTE

The 2012 general election ballot is to carry the question of whether to amend the state Constitution to require that the retention of judges is determined by the Senate rather than a majority vote of the people. A judge shall be retained unless 2/3 of the Senate votes to reject retention.

First sponsor: Sen. Gould

Lists: Kim MacEachern, Refer to Council

Categories: monitor

SCR1048 Daily History	Date Action
JUDICIAL RETENTION; SENATE VOTE 2/2 referred to Senate jud.	

## SCR1049: JUSTICES; JUDGES; APPOINTMENT; SENATE CONFIRMATION

The 2012 general election ballot is to carry the question of whether to amend the state Constitution to require that superior court judges must be elected in counties with fewer than 400,000 persons. Formerly, the threshold for election vs merit selection was 250,000. All superior court judges shall serve six-year terms (increased from four years). The term of a supreme court justice is increased to ten years from six years. A ten-year term is imposed on judges of the Court of Appeals. The manner in which the members of the Commission on Appellate Court Appointments are selected is changed to require that for each of the five attorney members, the State Bar is to send the governor a list of three nominees from which the governor must choose. Formerly, the governors of the State Bar nominated each attorney member of the commission and the governor appointed that person. Also, the additional composition of the commission is changed from 10 nonattorney members to 13 persons of whom two may be attorneys and one may be a retired judge. As before, naming authority for these resides with the governor. In the event of a vacancy on the Supreme Court or Court of Appeals, the commission must submit to the governor a list of at least six names (increased from three). All judicial nominees are subject to Senate confirmation.

First sponsor: Sen. Gould

Lists: Kim MacEachern, Refer to Council

Categories: monitor

SCR1049 Daily History

Date Action

JUSTICES; JUDGES; APPOINTMENT; SENATE CONFIRMATION 2/2 referred to Senate jud.

## SCR1054: PUNITIVE DAMAGES AWARDS; FUNDS

The 2012 general election ballot is to carry the question of whether to amend the state Constitution to change the section that prohibits any law that would limit the award of punitive damages by requiring that any punitive damage awards are to be deposited in a crime victim restitution fund established by the Legislature. The plaintiff's attorney shall be reimbursed from the fund an amount approved by the court that equals actual expenses incurred in research of the claim plus 10%. Remaining monies are to be allocated to crime victims to whom restitution is due.

First sponsor: Sen. Murphy

Lists: Kim MacEachern, Refer to Council

Categories: monitor

SCR1054 Daily History

Date Action

PUNITIVE DAMAGES AWARDS; FUNDS 2/14 Senate jud held.

PUNITIVE DAMAGES AWARDS; FUNDS 2/2 referred to Senate jud.